



ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.

COLUMBIA | GREENVILLE

Bonnie D. Shealy

1901 MAIN STREET, SUITE 1200

PO BOX 944

COLUMBIA, SOUTH CAROLINA 29202

(803) 776-8900 (803) 227-1102 direct

(803) 252-0724 (803) 744-1551 direct

bshealy@robinsonlaw.com

FILED
DUB/18/05

February 23, 2005

HAND DELIVERED

Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Synergy Business Park, Saluda Building
101 Executive Center Drive
Columbia, SC 29210

Re: BellSouth Transit Traffic Service Tariff filed 2/2/05
Our File No. 19339-0011

Socket No. 2005-63-C
Tariff - 2005-50

Dear Mr. Terreni:

Enclosed for filing on behalf of the Southeastern Competitive Carriers Association please find a Complaint and Petition to Intervene in the above referenced BellSouth's Transit Traffic Service Tariff Filing No. SC2004-138 filed February 2, 2005. By copy of this letter we are serving the same on other counsel who have petitioned the Commission on this matter. Please stamp the extra copies provided as proof of filing and return them with our courier. Should you need any additional information, please contact me.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.

Bonnie D. Shealy
Bonnie D. Shealy

/bds

Enclosures

cc/enc:

Ms. Carolyn Marek
Ms. Wanda Montano
Dan F. Arnett, ORS Chief of Staff
Patrick Turner, Esquire
M. John Bowen, Jr., Esquire
Margaret M. Fox, Esquire
John J. Pringle, Jr., Esquire
Florence Belser, ORS General Counsel
Ms. Daphne Werts (via email)
Ms. Nancy Horne

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

RECEIVED
2005 FEB 23 AM 10:47
SC PUBLIC SERVICE
COMMISSION

IN RE:

BellSouth Telecommunications, Inc.
Transit Traffic Service Tariff No. SC2004-138
filed February 2, 2005

**COMPLAINT AND
PETITION TO INTERVENE**

The Southeastern Competitive Carriers Association ("SECCA") hereby complains and petitions the Public Service Commission of South Carolina ("Commission"), pursuant to 26 S.C. Regs. 103-835 and 103-836 and other applicable rules and regulations of the Commission for permission to participate in any proceeding established to address the Transit Traffic Service Tariff filing of BellSouth Telecommunications, Inc. ("BellSouth"). In support of this Petition, SECCA would show the following:

1. SECCA is a nonprofit association established to further the interests of competitive carriers throughout the southeastern states in regulatory matters. SECCA's members are competitive local exchange carriers ("CLECs") and new entrants into the telecommunications market. SECCA's members include Time Warner Telecom of South Carolina, L.L.C.; US LEC of South Carolina Inc.; and XO Communications Services, Inc.

2. SECCA's authorized representatives in this proceeding are as follows:

Frank R. Ellerbe, III, Esquire
Bonnie D. Shealy, Esquire
Robinson, McFadden & Moore, P.C.
1901 Main Street, Suite 1200
Post Office Box 944
Columbia, South Carolina 29202

Telephone: 803-779-8900
Facsimile: 803-252-0724
fellerbe@robinsonlaw.com
bshealy@robinsonlaw.com

3. SECCA's complaint and petition to intervene concerns a new proposed tariff offering that establishes the rates, terms and conditions for BellSouth's Transit Traffic Service in the General Subscriber Service Tariff. According to the tariff filing, BellSouth provides transit traffic service when the call is originated and terminated by a service provider other than BellSouth and BellSouth transports the call between the originating and terminating carriers.

4. SECCA has an interest in the above-captioned proceeding inasmuch as SECCA's members provide competitive local exchange services in South Carolina. They must use BellSouth's transit services to interconnect with other local carriers. SECCA hereby requests permission to intervene in the above-captioned proceeding as a formal party of record. No other parties can adequately represent the interests of SECCA.

5. SECCA's intervention will aid the Commission by assisting in the development of a full and fair record to address the issues raised in this proceeding. SECCA's position in this docket is that the Commission should adopt reasonable and

non-discriminatory policies for the provision of transit traffic services, interconnection, and related services which are structured to allow CLECs to compete effectively in the market for local services.

6. SECCA is informed and believes that granting its request to be made a party of record in the above-captioned proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing the views and concerns of SECCA can be developed.

WHEREFORE, SECCA prays for the following relief:

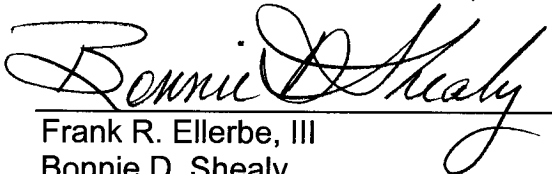
A. That this Petition to Intervene be granted by the Commission and that SECCA be made a formal party of record to the proceeding.

B. That SECCA be allowed to participate fully in this proceeding and to take such positions as it deems advisable.

C. That such other and further relief be granted as is just and proper.

Dated this 23rd day of February, 2005.

ROBINSON, McFADDEN & MOORE, P.C.

By 
Frank R. Ellerbe, III
Bonnie D. Shealy
Post Office Box 944
Columbia, SC 29202
(803) 779-8900
fellerbe@robinsonlaw.com
bshealy@robinsonlaw.com

Attorneys for Southeastern Competitive
Carriers Association

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO.

RECEIVED
2005 FEB 23 AM 10:48
SC PUBLIC SERVICE
COMMISSION

In Re:)
)
BellSouth Telecommunications,)
Inc. Transit Traffic Service Tariff)
No. SC2004-138 filed February 2,)
2005)
)
)
_____)

CERTIFICATE OF SERVICE

This is to certify that I, Mary F. Cutler, a legal assistant with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Complaint and Petition to Intervene** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Nancy Horne
6175 Barfield Road, Suite 200
Atlanta, GA 30328

John J. Pringle, Jr., Esquire
Ellis Lawhorne & Sims, PA
Post Office Box 2285
Columbia, SC 29202

M. John Bowen, Jr., Esquire
McNair Law Firm, P.A.
P.O. Box 11390
Columbia, SC 29211

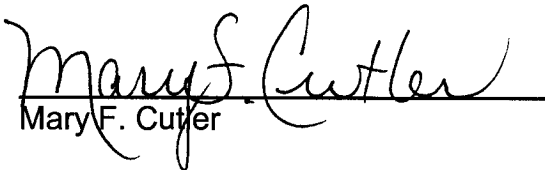
Margaret M. Fox, Esquire
McNair Law Firm, P.A.
P.O. Box 11390
Columbia, SC 29211

Patrick W. Turner, Esquire
BellSouth Telecommunications, Inc.
Post Office Box 752
Columbia, SC 29202

Florence P. Belser, General Counsel
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211

Dan F. Arnett, Cheif of Staff
Office of Regulatory Staff
1441 Main Street, 3rd Floor
Columbia, SC 29201

Dated at Columbia, South Carolina this 23rd day of February 2005.


Mary F. Cutler